

FACT SHEET ADDENDUM  
NATIONAL POLLUTANT DISCHARGE  
ELIMINATION SYSTEM (NPDES)  
PERMIT NO. WA-00029-9

I. GENERAL INFORMATION

Facility:

**Evergreen Aluminum LLC**  
5701 NW Lower River Road  
Vancouver, WA 98666

Evergreen Aluminum LLC shut down production at its Vancouver smelter in December 2000, due to an unfavorable combination of power costs and aluminum market prices. The permittee submitted an application for permit renewal in July 2005 –as required of all industrial dischargers—even though the smelter is unlikely to restart in the near future. Curtailing its smelting operation reduced Evergreen’s discharge quantity and improved its discharge quality.

II. APPLICATION REVIEW

Evergreen Aluminum LLC submitted an application for permit renewal to the Department of Ecology (Ecology) on July 2, 2005. Ecology accepted the application on that date, finding it contained sufficient detail for Ecology to develop a permit of such scope and manner to ensure the following:

- The permittee operates in substantial compliance with all of the terms, conditions, requirements and performance schedules contained in the expired permit;
- The Department of Ecology receives up-to date information on the permittee’s production levels, on permittee’s waste treatment practices, and on the nature, content, and frequencies of permittee’s discharges (whether through new form/application submittals, or through monitoring records and reports resubmitted by the permittee); and
- The discharge is consistent with applicable effluent standards and limitations, water quality standards, and other legally applicable requirements listed in WAC 173-220-130.

The existing permit’s requirements, including discharge limitations and monitoring, do not need to be changed to protect receiving water quality. The previous permit and fact sheet addressed conditions and issues at the facility when it was operating at full production. Because production is curtailed and the discharge only includes stormwater and a negligible amount of sanitary wastewater discharge, Ecology will not issue a complete renewal of this permit.

III. PERMIT REAUTHORIZATION

The permit reauthorization process, allows the Department to minimize the number of expired permits that don’t need substantive updating. The discharge limits and conditions in effect at the time the previous permit expired are carried over, unchanged, to this reauthorized permit –except for adding reduced monitoring requirements to the existing permit, that apply at Evergreen during production curtailment.

Ecology decided to reauthorize this permit –with changes to several procedural conditions in it. The changes affect monitoring frequency, reporting requirements, and submittal dates. Ecology revised them to accommodate lesser discharges during periods of temporary production curtailment. After the facility resumes operations, Ecology will determine when to issue a full NPDES permit renewal.

The only other changes to the previous permit are report submittal requirements. Ecology identified report submittal requirements contained in the existing permit. If Evergreen fulfilled the requirement during the past permit period, Ecology removed the requirement from the proposed permit. For the other standard compliance and reporting requirements from the past permit, Ecology carried the submittal dates over into this reauthorized permit, with adjustments to meet this permit schedule. Those submittals deemed necessary for the previous permit were not nullified; no information came forward to cause Ecology to reconsider the requirement.

#### PUBLIC COMMENT PROCEDURE

The Washington Administrative Code requires public notice of the draft permit reauthorization, for public examination and comment. During the minimum 30 days Public Comment Period, anyone may read the proposed NPDES permit and accompanying fact sheet. Ecology seeks public feedback about the fairness and adequacy of the permit conditions, and about Ecology's analysis of the issues (as explained in the fact sheet). Ecology will consider the merits and respond to timely comments before writing and issuing the final permit reauthorization to the applicant (WAC 173-220-050).

Ecology distributes the public notice via electronic and postal mail, and by publication in the nearest newspaper. The public notice tells where one can read a copy of the fact sheet and draft permit, where to deliver one's comments about the documents, and when the Public Comment Period ends. The public notice details are also posted on the Public Involvement Calendar of the Department's web site.

Any person who sends a timely comment about the draft permit will receive a copy of Ecology's response; sending a written comment during the Public Comment Period may also reserve the right to appeal Ecology's decision to issue a permit reauthorization.

After the public comment period ends, the permit writer will summarize substantive comments and respond to them, telling how the comments influenced the Conditions in the final permit (or why they did not persuade Ecology to change the draft permit) reauthorization. The summary and response to comments become part of the legal and procedural record for the permit. The comments and any resulting changes to the permit will be recorded in another fact sheet addendum, Appendix D—Response to Comments.

#### IV. RECOMMENDATION FOR PERMIT ISSUANCE

The Department of Ecology proposes to reauthorize this NPDES permit to Evergreen Aluminum LLC –with monitoring and reporting changes— allowing the facility to release controlled discharges into the Columbia River, for a period of five (5) years.

## **APPENDIX A – PUBLIC INVOLVEMENT INFORMATION**

The Department of Ecology proposes to reauthorize a discharge permit to Evergreen Aluminum LLC (listed on page 1 of this fact sheet addendum). The permit contains both specific and general conditions for the permittee's performance and for effluent limitations on the facility's discharges. The fact sheet describes the legal, technological, and historical reasons Ecology imposed each condition and limitation.

Public Notice of Ecology's proposal to reauthorize Evergreen's NPDES permit was published on December 19, 2005, in *the Columbian*. Ecology also distributed a notice via electronic and postal mail to a list of interested persons, and published the Public Comment Period on Ecology's web-based Public Involvement Calendar, to inform the public about the draft permit and to invite comment on the proposed reauthorization of it.

Ecology invites any interested person to submit written comments about the draft permit. The draft permit, fact sheet addendum, and fact sheet are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. weekdays by appointment, at Ecology's headquarters building, 300 Desmond Drive, in Lacey. A copy of the document packet is also available for reading at the reference desk of the Fort Vancouver Main Public Library, 1007 East Mill Plain, in Vancouver. Or visit Ecology's Industrial Section web pages to read and download the documents <http://apps.ecy.wa.gov/industrial/>

Comments should identify "Special Conditions" by number and reference specific text therein, followed by a proposed modification or concern (when possible). Public comments may address technical issues, accuracy and completeness of information described in the fact sheet, the scope of coverage by the permit's proposed pollution controls, the adequacy of environmental protection afforded by permit conditions, or comments may address any other outcome that could result from Ecology's reauthorization of this permit.

Interested persons should send written comments –assuring delivery to the headquarters building (physical address above) by close of business on January 18, 2006—to:

Bob King, P.E.  
Department of Ecology  
Industrial Section  
PO Box 47706  
Olympia WA 98504-7600

Any interested person may also request a public hearing of comments about this draft permit, within the 30-day comment period. Address such request for a hearing to Bob King (at the address immediately above); explain your interest, how it would be affected if Ecology issues the permit as drafted, and to what extent your interest represents a larger public concern. The Department will conduct a formal hearing of comments about the permit reauthorization if Ecology learns of significant public interest in it (WAC 173-220-090). Ecology would publish and distribute notice about any such hearing of comments, at least 30 days in advance of the hearing (WAC 173-220-100).

The Department of Ecology will consider the merits of each comment received within the 30 days Public Comment Period, before making a final determination to reauthorize, revise, or deny the permit. Ecology will mail a response to all significant comments directly to people expressing an interest in this permit, and to the Fort Vancouver Main Public Library.

For further information about the NPDES permit, telephone Bob King in Lacey at (360) 407-7563, or write to him at the address listed above.